



Republika e Kosovës
Republika Kosova – Republic of Kosovo
ORGANI SHQYRTUES I PROKURIMIT
TELO ZA RAZMATRANJE NABAVKE
PROCUREMENT REVIEW BODY

Psh. No.679/23

Review Panel, appointed by the President of the Procurement Review Body (PRB), Pursuant to the article 105, article 106, and 117 of the Law on Public Procurement of the Republic of Kosova (Law no. 04/L-042, supplemented and amended by Law 04/L-237, Law 05/L-068, supplemented and Law 05/L-092), in the composition of Vedat Poterqoi - President, deciding according to the complaint of the Economic operator (EO) “Arianit R. Bytyqi”, regarding the procurement activity with title: “Maintenance and updating of the Human Resources Management Information System” with procurement no: 214-23-5692-2-1-1, initiated by the contracting authority (CA) – Ministry of Internal Affairs, on the 16/10/2023, has issued this:

DECISION

1. **Approved**, as partly grounded the complaint of the EO “Arianit R. Bytyqi” N.N.SH submitted to the Procurement Review Body on the 11.09.2023 (with protocol number 679/23) for the procurement activity with title: “Maintenance and updating of the Human Resources Management Information System” with procurement no: 214-23-5692-2-1-1, initiated by the contracting authority (CA) – Ministry of Internal Affairs.
2. Cancel the contract award notice and recommend that the case returns for re-evaluation.
3. It is allowed to return the complaint’s fee to the amount deposited at the time of filing the appeal. The complaining EO is obliged, in accordance with Article 31 point 6 of the PRB's Rules of Procedure, within sixty (60) days to make a request for the return of the complaint insurance, otherwise the deposit will be confiscated, and these funds will go to the Budget of the Republic of Kosova.

REASONING

- Procedural facts and circumstances –

On the 07.06.2023, Ministry of Internal Affairs, in the capacity of the Contracting Authority, has published the contract notice for the procurement activity with title: “Maintenance and updating

of the Human Resources Management Information System” with procurement no: 214-23-5692-2-1-1. Meanwhile, on the 18.08.2023, the notice on the CA's decision was published.

EO "Arianit R. Bytyqi" - Prishtina has submitted a request for reconsideration to the CA. CA-Ministry of Internal Affairs by decision has rejected the request for reconsideration regarding the procurement activity: “Maintenance and updating of the Human Resources Management Information System” with procurement no: 214-23-5692-2-1-1 initiated by the Ministry of Internal Affairs.

The CA has recommended for contract award the EO "InterAdria L.L.C" related to the procurement activity “Maintenance and updating of the Human Resources Management Information System” with procurement number: 214-23-5692-2-1-1.

Unsatisfied with the decision of the CA, EO "Arianit R. Bytyqi" - Prishtina on the 08.09.2023 submitted a complaint to PRB, with protocol number 679/23, against the decision of the Contracting Authority regarding the procurement activity described as above.

The contracting authority has implemented an open procedure, type of contract: service, estimated value of the contract: 277,200.00. €.

The EO's complaint was exercised in accordance with Article 109.1 of the LPP, according to which against any decision taken by the CA, any interested party can submit a complaint to the PRB. Since the EO has also applied for reconsideration, it means that its actions also refer to Article 108/A of the cited Law. Therefore, the PRB considers that the Complaint fulfills the prerequisites in terms of the provisions now cited and the same falls under its competences in terms of Article 105 of the LPP.

Evaluation and administration of evidence

Based on the actions described above, the PRB has engaged the evaluation expert in accordance with Article 111, paragraph 5 of the LPP, with the duty that the same, in accordance with Article 113 of the cited Law, conducts the initial review of the dossier and complaining claims, in relation to the procurement activity described above. Regarding this, on 02.10.2023, the review expert submitted the evaluation report with the following recommendations:

Based on the aforementioned clarifications, the review and technical expert proposes to the review panel that the complaint of EO EO "Arianit R. Bytyqi"- Prishtina

To be partially approved as grounded, as well as to cancel the contract award notice and return the case to re-evaluation.

Answer to the complaining claims of the complaining EO

Introductory clarification

The complainant submitted the request for reconsideration to the CA on the 23.08.2023, for which the CA decided on the 30.08.2023 to reject the request for reconsideration. Complaining claims are related to the reasons for the elimination of the complaining EO and the recommended EO's tender for the contract. In the following, the claims, the circumstances of the case for each

claim and the evaluation of the experts based on the written evidence in the procedure are described.

Complaining claim 1

The complaining EO claims that the CA acted contrary to the provisions of the LPP in relation to the decision to eliminate the complaining EO, namely the reason for the elimination related to the project manager.

The circumstances of the case

- Referring to the announcement on the decision of the CA dated 18.08.2023, regarding this point, the CA has decided to reject the tender of the complaining EO, with the following reasoning: "[...] You have not submitted evidence as requested on pages 17 of the Tender Dossier of the Contract Notice (Requirements on technical and/or professional capabilities): *Requirements: 1. The project manager must be a computer engineer with telecommunications or a Master of computer science - min. 5 years of work experience in project management and application development. Evidence: 1. Relevant diploma, CV signed by the engineer - (original), contract or valid work agreement with the employer for this project (copy), Decision on the appointment of the project manager signed and stamped by the employer - (original) References for work experience from employers-(copy). REASON For this request, you have not presented at all the Decision on the appointment of the project manager signed and sealed by the employer - (original) in your office as requested in the tender dossier and in the contract notice*".

- CA in the contract notice and the tender file, has established the requirement for technical and professional capacity as follows: *1. The project manager must be a computer engineer with telecommunications or Master of computer science - min. 5 years of work experience in project management and application development. For this request, the following is required as evidence: 1. The relevant diploma, notarized in the original, not older than 3 months from the date of the contract notification, CV signed by the engineer - (original), contract or valid work agreement with the employer for this project (copy), References for work experience from employers - (copy).*

- Referring to the decision of the CA dated 30.08.2023, for the rejection of the request for reconsideration, the CA in relation to this claim responded as follows: "[...] Regarding the complaining claims regarding the manager of the project for which Among other things, a Decision on the appointment of the project manager was requested, the CA-MIB, after examining the claims, found that this request was not fulfilled by the complaining EO, since in the submitted offer you did not submit a signed and sealed Decision on the appointment of the manager, therefore the commission of the evaluation more correctly has decided for your elimination and the commission did not use article 72 of the LPP for the reason that the document in question cannot be verified objectively that it was before the date of submission of the offers as provided by the LPP "Information security missing or the provision of information will be applied only to documents whose existence is fixed, before the last deadline for the submission of tenders, and can be objectively verified, therefore at this point the claim is unfounded.

- The complaining EO submitted the following documents:

Document - List of Staff; in which it is specified by number that Mr. Fisnik Meha is a project manager with 12 years of experience.

CV of Mr. Fisnik Meha; in which work experience in the company N.T.SH is specified. UNISOFT from January 2015 - and continues, in the position of Project Manager. Reference for Mr. Fisnik Meha; in which it is emphasized: This document proves that the group of operators N.T.SH. "UNISOFT" for the aforementioned project. This reference is issued by the document which has participated and successfully performed the planned works in these projects, the data of which can be found in the CV: Mr. Fisnik Meha Project manager with 12 years of work experience. It is further noted that Participation in projects (3 years): 1. Maintenance of the Electronic System for the Management of Student Affairs at the University of Pristina, 2. Provision of CMS and Design, Restructuring of the UEB pages of the University of Pristina, 3. Services of the electronic program for testing during the recruitment process, 4. Creation of a central database for the registration of displaced persons and returnees 5. Maintenance of the faculty's digital system for public safety.

The fixed-term employment contract concluded between: Ariani R. Bytyqi B.I (trade name: N.T.SH. "UNISOFT") and Mr. Fisnik Meha, where the employee is appointed to the position: Project Manager, Software and Database Developer. In the contract, it is specified that the employee establishes a working relationship, at a certain time, starting from: 01.01.2023, until 31.12.2023.

Answer to the complaining claim 1

The review expert and clarify that in relation to the project manager in the staff list document submitted by the complaining EO and the contract of Mr. Noble Meha, it has been proven that he is engaged as a project manager. However, the complaining EO has not submitted the relevant evidence, namely the decision on the appointment of the manager as requested in the contract notice and the tender file. Therefore, according to the above explanation, the complaining claim is partially grounded.

Complaining claim 2

The complaining EO claims that the CA acted contrary to the provisions of the LPP in relation to the decision to eliminate the complaining EO, namely the reason for the elimination related to the Database Developer.

The circumstances of the case

- Referring to the announcement on the decision of the CA dated 18.08.2023, regarding this point, the CA has decided to reject the tender of the complaining EO, with the following reasoning: "[...] *Request 2. Developer of the Basics of data must have min. 3 years of work experience after graduation in Database Development. Evidence: References for work experience from employers - (copy). For this request, you have presented a reference for work experience from Unisoft Company for Arianit Bajrami, but in Arianit's CV it appears that he is*

employed at Unisoft on the 01.09.2021, add the fact that the contract was also signed on the 01.01.2023, therefore, the reference issued for the work experience is not accepted for the period before 01.09.2021 where the same has not been in a working relationship with the Unisoft company and consequently, the reference for the work experience cannot be issued on behalf of other employers. Based on this, the Database Developer does not fulfill the request with the tender file for work experience. The other staff that you introduced in your offer with the initials (E.T., F.G., G.Z., M.B., Q.P.) do not meet the requirement of the tender file for work experience. Therefore, for the reasons stated above, your offer has been rejected and will not be evaluated further."

- CA in the contract notice and the tender dossier, has set the requirements for technical and professional capacity as follows: 2. Three (3) Software developers must be computer engineers or Bachelor of Computer Science min. 3 years of work experience after graduation in application development 3. Database developer must be a computer engineer or Bachelor of computer science - min. 3 years of work experience after graduation in Database Development. Evidence has been requested for these requests: 2. Relevant diploma notarized from the original not older than 3 months from the date of contract notification, CV signed by the engineer (original), contract or valid work agreement with the employer for this project (copy), References for experience of work from employers - (copy). 3. Relevant diploma notarized from the original not older than 3 months from the date of contract notification, CV signed by the engineer- (original), contract or valid work agreement with the employer for this project (copy), References for experience of work from employers-(copy).

- Referring to the decision of the CA dated 30.08.2023, for the rejection of the request for reconsideration, the CA in relation to this claim has responded as follows: "[...] Regarding the claim for the Software Developer that the same meets the requirements with the AK-MIB tender file after analyzing the claims and documentation presented in the offer, it can be seen that the same person in the CV has worked in several different companies and from 01.09.2021 he works at Unisoft, while the reference submitted for work experience from Unisoft can only be obtained for the period 01.09.2021 until the publication of the contract notice 07.06.2023, the reference submitted by you for the period before 01.09.2021 is not accepted and therefore no reference can be issued on behalf of other employers. Therefore, this claim is unfounded".

- The complaining EO has submitted the list of staff where Mr. Adrian Krasniqi has been appointed for the position of Database Developer. While the person referred to by the CA in the Standard Letter for the Eliminated tenderer, Mr. Arianit Bajrami, according to the staff list, has been assigned the position of Software Developer.

- EO complaining about the work experience of Mr. Arianit Bajrami submitted the following documents:

CV of Mr. Arianit Bajrami, in which the following work experience information is presented from 11.10.2017 - 05.06.2018, worked in the position of Web Developer Junior in the company Blic Solution with Internship status. From 15.06. 2019 until 24.09. 2020 worked as a Full Stack Developer in .NET MVCS and Core in the company Cactus.sha. From 01.10.2020 to

01.07.2021 he worked in the position of Mobile Developer Flutter (IOS.Android) in the company eDev sh.p.k. From 01.09.2021 - and continues to work as a .NET MVC & Core Web Developer at the Unisoft company.

The fixed-term employment contract concluded between: Ariani R. Bytyqi B.I (trade name: N.T.SH. "UNISOFT") and Mr. Arjanit Bajrami, where the employee is assigned to the position: Software and Database Developer. In the contract, it is specified that the employee establishes a working relationship, at a certain time, starting from: 01.01.2023, until 31.12.2023.

Letter of Reference, issued by Unisoft, where it is emphasized that Mr. Arjanit Bajrami Mr. Arjanit Bajrami User-interface designer has 4 years of experience. Further in the reference it is highlighted: Participation in projects (3 years): 1. Maintenance of the Electronic System for Student Work Management at the University of Prishtina, 2. CMS provision and Design, Restructuring of the UP web pages, 3. Electronic program services for testing during the recruitment process, 4. Creation of a central database for the registration of displaced persons and returnees 5. Maintenance of the faculty's digital system for public safety.

Answer to the appeal claim 2

The reviewing and technical expert first emphasize that the CA in the Standard Letter for the Eliminated Tenderer, in the reasoning, has mistakenly made the connection of the person Mr. Arjanit Bajrami with the request for Database Developer, since the same one has been proposed as a software developer. Regarding work experience as a point of contention, according to the CV, the same person has 1 year and 9 months of experience in the Unisoft company in the position of Software and Database Developer, while the employer Unisoft has issued a reference to the same person for the position of User-interface designer with 4 years of experience.

The Review and Technical Expert clarify that the complaining EO has not submitted proof of work experience in accordance with the request of the CA "References for work experience from employers - (copy)", due to the fact that the complaining EO cannot issue proof of work experience for another employer, also the testimony issued by the complaining EO is inconsistent with the contract and CV of Mr. Arjanit Bajrami, where in the CV and Contract it is noted that the same is employed in the position of Developer, while in the reference it is noted that the same has experience as a User-interface designer. Therefore, according to the above clarification, the complaining claim at this point is unfounded.

Complaining claim 3

The complaining EO claims that the evidence submitted for the project manager of the EO recommended for the contract does not meet the requirements of the contract notice and tender dossier.

The circumstances of the case

- CA in the contract notice and the tender dossier, has established the requirement for technical and professional capacity as follows: *1. The project manager must be a computer engineer with telecommunications or Master of computer science - min. 5 years of work experience in project*

management and application development. For this request, the following is requested as evidence: 1. The relevant diploma, notarized by the original, not older than 3 months from the date of the contract notification, CV signed by the engineer (original), contract or valid work agreement with the employer for this project (copy), References for work experience from employers - (copy).

• Recommended EO for Ms. Miranda Kajtazi submitted the following documents:

Master's degree in Computer Science, issued by Vaxjo University, Sweden, dated 24.08.2007 ;

Bachelor's degree in Computer Science, issued by the University of Southeast Europe, dated 17.07.2006.

CV in which information on education and work experience is presented;

The reference issued by Mr. Bekim Hamiti, Administrator and Project Manager of the Information System for Human Resources, signed and sealed with the seal of the Ministry of Public Administration. The reference issue date is 11.01.2018. The reference confirms the commitment of Mrs. Miranda Kajtazi as Project Manager.

The reference issued by EO Interadria with the following text: The InterAdria company through this reference confirms that the worker Miranda Kajtazi has been and is currently engaged in the following projects: PSMP.MPA.2B2.3.2015-6.23 with the title: *Procurement of Development of the Human Resources Planning, Module as part of HRMIS, including Training. 201-18-1168-221 with title: Maintenance and updating of the Human Resources Management Information System (HRM). MF201-18-1168-2-2-1 with the title: Maintenance of the Salary System for public employees and the upgrade of the salary system in new infrastructure 202.17.102.211 with the title: Adaptation of SIMBNJ to the Legal Package for Public Administration. MF201-21-6450-215 entitled: Maintenance and modernization of the salary system for Public Employees. Miranda Kajtazi, who has been placed as a consultant in the position of Alternate Project manager. Quality Assurance Expert. The developer has so far shown good performance, good cooperation with the contracting authorities at a high level, as well as the preparation of documentation in accordance with the contractual requirements. We estimate that the worker in question has the capacity to be placed in the position of developer even in more complex projects. Therefore, we recommend the leaders of the software department to count on the professional, communicative and ethical capacities of this employee.*

Answer to the complaining claim 3

The review and technical expert in connection clarify that based on the evidence submitted by the EO recommended for the contract, in relation to the education criterion, the evidence submitted meets the request of the CA, respectively, bachelor's and master's degrees in the direction - science have been submitted computer. Meanwhile, in relation to work experience, a CV with fourteen engagements, of which two engagements in the role of manager, namely assistant project manager, has been submitted. Also, the reference of the employer (EO Interadria) was submitted, in which the experience in four projects was recorded, without

information on the years of engagement. The information presented in the CV regarding the experience, specifying the commitment in the period from April 2013 to December 2016 in the role of project manager and the commitment from May 2014 to December 2015 in the role of deputy project manager do not meet the requirement of CA for minimum experience 5 years in project management and application development. Therefore, according to the above clarifications, the complaining claim is partially grounded.

Complaining claim 4

The complaining EO claims that the EO recommended for the contract is irresponsible in relation to the request for developers, namely the diplomas for Mrs. Ariana Kajtazi do not fulfill the requirement of the tender dossier and contract notice.

The circumstances of the case

- CA in the contract notice and the tender file, has set the requirements for technical and professional capacity as follows: 2. *Three (3) Software developers must be computer engineers or Bachelor of Computer Science min. 3 years of work experience after graduation in application development* 3. *Database developer must be a computer engineer or Bachelor of computer science - min. 3 years of work experience after graduation in Database Development. For these requests, the following was requested as evidence: 2. Relevant diploma notarized from the original not older than 3 months from the date of contract notification, CV signed by the engineer (original), contract or valid work agreement with the employer for this project (copy), References for experience of work from employers - (copy).* 3. *Relevant diploma notarized from the original not older than 3 months from the date of contract notification, CV signed by the engineer- (original), contract or valid work agreement with the employer for this project (copy), References for experience of work from employers - (copy).*

- Recommended EO for Ms. Ariana Kajtazi submitted the following documents:

Bachelor's degree in Informatics, issued by Vaxjo University, dated 13.11.2008

Diploma certificate for the master's level in Technology, issued by KTH Royal Institute of Technology, dated 23.10.2007

Answer to the complaining claim 4

The review and technical expert clarify that based on the evidence submitted by the EO recommended for the contract, namely the bachelor's degree in Informatics, the request for the notification of the contract and the tender file related to the education of Mrs. Ariana Kajtazi has been fulfilled, therefore the complaining claim in this point is unfounded.

Complaining claim 5

The complaining EO claims that the EO recommended for the contract is irresponsible in relation to the request for a developer, namely the diploma delivered to the developer Mr. Migjen Belegu, does not fulfill the requirement of the tender dossier and contract notice.

The circumstances of the case

- CA in the contract notice and the tender file, has set the requirements for technical and professional capacity as follows: *2. Three (3) Software developers must be computer engineers or Bachelor of Computer Science min. 3 years of work experience after graduation in application development 3. Database developer must be a computer engineer or Bachelor of computer science - min. 3 years of work experience after graduation in Database Development. For these requests, the following was requested as evidence: 2. Relevant diploma notarized from the original not older than 3 months from the date of contract notification, CV signed by the engineer (original), contract or valid work agreement with the employer for this project (copy), References for experience of work from employers - (copy). 3. Relevant diploma notarized from the original not older than 3 months from the date of contract notification, CV signed by the engineer- (original), contract or valid work agreement with the employer for this project (copy), References for experience of work from employers - (copy).*
- Referring to the decision of the CA dated 30.08.2023, for the rejection of the request for reconsideration, the CA in relation to this claim has responded as follows: *"[...] Regarding your claim against the selected winning EO that the same is not meets the requirements of the tender file regarding the database developer for the person with the initials M.B. after reviewing and analyzing the case and the evaluation report, we noticed that the person in question was not treated at all by the commission for the reason that another person was accepted in this position from the list of staff presented by the EO and selected as the winner, therefore the claim is unfounded .*
- Regarding education, the CA, dated 30.06.2023, has published additional clarifications, where in the question asked by an EO: *2. Three (3) Software developers must be computer engineers or Bachelor of computer sciences min. 3 years of work experience after graduation in application development. 3. Database developer must be a computer engineer or Bachelor of computer science - min. 3 years of work experience after graduation in Database Development. 2. Please confirm to us that for points 2 and 3, the Bachelor of Science in Electrical Engineering - Telecommunication Department is considered as the relevant (acceptable) education, CA has responded as follows: No, it is not acceptable. Software and database developer must be a computer engineer or Bachelor of computer science.*
- The EO recommended for Mr. Migjen Belegu has submitted the bachelor's degree in Electrical Engineering Sciences.

Answer to the complaining claim 5

The review and technical expert clarify that based on the evidence submitted by the EO recommended for the contract, the diploma submitted for Mr. Migjen Belegu does not meet the requirement of the contract notification and tender file regarding the direction of studies.

However, as it was clarified by the CA, regarding the request for developers, the EO recommended for the contract submitted the testimonies of other developers (A.K, B.V, L.K), so the claim is partially grounded.

- Finding of the Review Panel –

The Review Panel concluded that there are no elements to prevent the conflict of interest, as required in the sense of Article 11 of the Regulation on the Work of PRB, therefore it analyzed all the documents of this subject, including all acts and actions of the parties and considered that there is no need to convene a public hearing with the parties because there is sufficient evidence to decide according to paragraph 1, article 24 of the cited Regulation. In this case, the panel took into consideration all the complaint statements, acts and actions of the CA and the expert's report.

In fact (of course, regardless of the recommendations) the Panel notes that the procurement procedure that was applied in this case is presented in detail in the review and technical expert's expertise's report, explaining all the stages of the process and the actions taken by the parties in the comparative context with the acts in force, especially with the Public Procurement Rules.

First of all, it is worth noting that the complaining EO in his complaint has presented claims against his elimination from this procurement activity as well as against the EO recommended for the contract, as far as the complainant's complaints against his elimination from this procurement activity, RP states that regarding these claims, the panel agrees with the findings of the expertise and their conclusions (without the need for the same to be repeated again), so consequently the RP concludes that based on the expertise report, the complaining EO has not met the qualifying criteria presented in TD and CN, for the reason that the Panel observes that the reasons given in the expert report for the complaining EO clarify that the same in the first complaint for the project manager did not submit the documentary evidence as requested. Also in relation to the developer, as described in the experts' report, it has been proven that experience has not been proven according to the documents offered, in relation to the relevant request of the tender dossier, therefore, in relation to this procurement activity, the same is considered irresponsible.

As for the complaint claims presented against the recommended EO, the panel has reached the final conclusion that it does not fully agree with the findings of the review and technical experts for the reasons that will be elaborated below.

The panel notes that in relation to the complaint claims about the EO recommended for the contract, except for the claim about the project manager, the others are unfounded, giving credence to the review experts without the need to elaborate them again. Regarding the justification for the project manager, the Review Panel assesses that the clarification of the experts was made in relation to the evidence presented, however, the information about the experience presented in the CV of the contract manager, which may be relevant, was not taken as a basis, such as be the similarity of leadership experience in the positions of Project Manager and Team Leader. Also, the Panel notes that the CA's decision to reject the request for reconsideration at this point qualifies the complaining claim of the complaining EO as unfounded, however, the CA has not argued such a thing with sufficient reasons, facts and evidence that prove the fact that the referred manager fulfills the relevant requirement defined in the Tender File. However, in the CV presented, the panel has evidenced that the same has

presented data related to various projects, as well as the reference issued by the employer refers to 4 (four) projects in which it has engaged, while other projects are also presented in the CV for which no references have been submitted, therefore the CA is obliged to verify the same in the re-evaluation process and to act in accordance with articles 59 and 72 by requesting clarifying information regarding the experience of the presented manager.

Therefore, the review panel, in the absence of sufficient evidence and facts proving that the relevant criterion of the TD has been met, has reached the conclusion that the procurement activity should be re-evaluated and additional clarifications should be requested regarding this point, due to the fact that related to Other statements are placed above.

- Conclusion -

Based on the above, the Review Panel considers that the CA has acted contrary to the provisions of Article 59 and 72 of the LPP, cited in the Complaint. The Review Panel considers that the actions and acts of the CA, and the evaluations of the review and technical expert regarding the fulfillment or not of the conditions described above and the complaint statements in this case constitute a sufficient basis for the procurement activity to be re-evaluated again because otherwise, it will conflict with the scope of the LPP and the argumentative basis of the appeal claims, which the Panel evaluates according to its independent assessment in the sense of Article 104 in relation to Article 105 of the LPP. The return of a procurement activity on a contested legal re-evaluation basis is in harmony with Article 1 of the LPP, according to which, the purpose of this Law is, among others, quoted: to ensure the integrity and responsibility of public officials, civil servants and other persons who perform or are involved in a procurement activity by requiring that the decisions of such individuals and the legal and factual basis for such decisions are not influenced by vested interests personal, to be characterized by non-discrimination and with a high degree of transparency and to be in accordance with the procedural and essential requirements of this law".

Regarding Article 105, taking into account the requirement of Article 104, paragraph 1, of the cited Law according to which, quoted: "The procurement review procedure will be implemented and carried out in a fast, fair and non-discriminatory manner, which aims at the fair, legal and effective resolution of the matter..." Therefore, the Review Panel based its findings on the relevant provisions of the LPP, which foresee and regulate such situations, which may arise during a procurement activity.

Therefore, from the above, the review panel in accordance with article 117 of the LPP decided as in the provision of this decision.

President of the Review Panel

Mr. Vedat Poterqoi

Legal advice:

An appeal is not allowed against this decision,
but the dissatisfied party can appeal to the Commercial Court,
within 30 days from the date of acceptance of this decision.

Decision to be submitted to:

1x1 CA – **MINISTRY OF INTERNAL AFFAIRS;**

1x1 EO – **Arianit R. Bytyqi;**

1x1 Archive of the PRB;

1x1 For publication on the website of the PRB.